

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RUSSELL THOMAS,)	
)	
Petitioner)	Criminal No. 04-67-P-S
v.)	Civil No. 06-97-P-S
)	
UNITED STATES OF AMERICA,)	

ORDER ON MOTION UNDER 28 U.S.C. § 2255

Before the Court is a 28 U.S.C. § 2255 motion filed by Petitioner Russell Thomas, appearing pro se (Docket # 1). This Motion seeks reinstatement of Petitioner's direct appeal based on alleged ineffective assistance of counsel in the attempted filing of the direct appeal. In response, the Government consents to the granting of Petitioner's Motion "for the limited purpose of permitting an appeal to be reinstated." (Docket # 4) Therefore, the Court hereby GRANTS Thomas' Motion under 28 U.S.C. § 2255. The Court ORDERS that the Petitioner be permitted to pursue a direct appeal of his sentence and that his appeal period be reinstated. The Clerk is directed to enter a notice of appeal on behalf of Russell Thomas in the case of United States v. Thomas (04-cr-67-P-S) and to provide the Petitioner with the necessary forms to request counsel on appeal.

SO ORDERED.

/s/ George Z. Singal
Chief United States District Judge

Dated this 21st day of July 2006.